

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appl. No. 09/874,220
Atty. Docket No. Q64853

REMARKS

Claims 1-26 are all the claims pending in the application. Applicants have made stylistic amendments to several of the claims, which are not believed to affect their scope.

Claim Rejections - 35 U.S.C. § 102

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sugahara (U.S. Patent No. 6,483,873). Applicants respectfully traverse this rejection.

Claim 1 recites a copyright protection method in which attributive information representing the attribution of a predetermined apparatus is added to an information signal when the information signal is propagated from the predetermined apparatus to an external apparatus. The Examiner asserts that, in Sugahara, the external apparatus would be a CD reproducing apparatus (*see* page 15 of the Office Action). However, the Examiner's interpretation does not properly address the other features of claim 1 in combination with the external apparatus.

The claimed attributive information represents the attribution of a predetermined apparatus. The predetermined apparatus propagates a signal to the external apparatus. Since Sugahara is based on the premise that the CD is manufactured in advance, there is no recording apparatus in Sugahara (*see* column 4, lines 15-31). Therefore, if the Examiner asserts that the external apparatus of Sugahara is a CD reproduction apparatus, the Examiner must consider the predetermined apparatus an apparatus for manufacturing a CD.

Furthermore, the attributive information of claim 1 represents the attribution of a predetermined apparatus. Therefore, if the information specifying a degree of restriction of reproduction of an original signal is one embedded in the CD, the information does not represent

the attribution of an apparatus for manufacturing the CD. The degree of restriction of reproduction of an original signal is irrelevant to the apparatus for manufacturing the CD. If the information specifying a degree of restriction of reproduction of an original signal is one generated by the reproduction apparatus, this information also does not represent the attribution of the predetermined apparatus. This is because the predetermined apparatus is the apparatus for manufacturing the CD and the Examiner asserts that the reproduction apparatus is the claimed external apparatus, not the claimed predetermined apparatus.

To the extent that the Examiner considers the CD itself as the predetermined apparatus, such an interpretation would also be improper. There is no indication that a CD could be an apparatus as claimed. In the claimed invention, the attributive information is added to the information signal when the information signal is propagated from the predetermined apparatus to the external apparatus. Even if the CD could be considered a predetermined apparatus, there would be no information signal with copy control information to which to add attributive information.

Furthermore, the Examiner's assertion that the attribute of encoding in MPEG would constitute the claimed attributive information is also improper. Particularly, there is no indication that any such information would be used for controlling the recording of the information signal. In claim 1, the attributive information is added to the information signal, and then the recording of the information signal is controlled on the basis of the copy control information and the attributive information. Even if an attribute of encoding in MPEG were added to an information signal in Sugahara, the recording of the information signal would not be

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controlled based on this attribute of encoding. In fact, Sugahara is only concerned with reproduction, not recording.

In view of the above, Applicants submit that claim 1 is allowable over Sugahara. Claims 2 and 3 depend from claim 1 and are therefore allowable at least by virtue of their dependency. Furthermore, claims 4 and 5 are allowable at least for reasons similar to those given with respect to claim 1 and claim 6 is allowable at least by virtue of its dependency from claim 5.

With regard to claims 7, 9 and 23, as explained above, Sugahara does not teach anything regarding a recording apparatus or method. Information specifying a degree of restriction of reproduction of an original signal is not used for controlling the recording of the information signal. Accordingly, claims 7, 9 and 23 are allowable over Sugahara and claims 8, 10 and 24-26 are allowable at least by virtue of their dependency from one of claims 7, 9 and 23.

Claims 15, 17 and 19 recite error correction. The term “error correction” is a technical term well known in the art. For example, the *Penguin Dictionary of Electronics* defines error correction as “Correction of errors in data transmitted over a communication line or handled by a computer device. Error-correcting codes encode data in such a way that a decoder can correct, with high probability of success, any errors produced in the signal by the intervening channel.” Sugahara does not teach anything regarding error correction. The inverse DCT is a technique used for decompressing MPEG data, but is not error correction as claimed. Accordingly, claims 15, 17 and 19 are also allowable over Sugahara.

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Claim 16 depends from claim 15, claim 18 depends from claim 17 and claims 20-22 depend from claim 19. Accordingly, claims 16, 18 and 20-22 are allowable at least by virtue of their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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